

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

SIMON GOGOLACK,

Defendant.

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**23-CR-99-LJV-JJM**

**NOTICE OF MOTION**

**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public  
Defender

**DATE, TIME & PLACE:**

Before the Honorable Lawrence J. Vilardo, United  
States District Court Judge, Robert H. Jackson  
United States Courthouse, 2 Niagara Square,  
Buffalo, New York, **on the submitted papers.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
Jeffrey T. Bagley, dated June 24, 2025

**RELIEF REQUESTED:**

To Withdraw as Counsel and Have New Counsel  
Appointed.

**DATED:**

Buffalo, New York, June 24, 2025

**/s/ Jeffrey T. Bagley**

Jeffrey T. Bagley

Assistant Federal Public Defender

Federal Public Defender's Office

300 Pearl Street, Suite 200

Buffalo, New York 14202

(716) 551-3341, (716) 551-3346 (Fax)

Jeffrey\_Bagley@fd.org

*Counsel for Defendant, Simon Gogolack*

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**AFFIRMATION**

**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. The Federal Public Defender's Office represents Simon Gogolack.
2. On Friday June 13, 2025, the government provided redacted excerpts of transcripts of certain individuals who testified in the grand jury in this case.
3. The Federal Public Defender's Office previously represented one of these individuals.
4. This individual offered testimony potentially in furtherance of the conspiracy charged in Counts 1, 2, and 3 of the currently operative indictment.
5. Because our office continues to owe a duty to this former client, we must withdraw as counsel for Mr. Gogolack.
6. Because this matter deals with client confidentiality, the full nature of the conflict will be further described in a separate *ex parte*, under seal filing.

**WHEREFORE**, it is respectfully requested that the Court grants the relief sought herein.

**DATED:** Buffalo, New York, June 24, 2025

Respectfully submitted,

**/s/Jeffrey T. Bagley**

Jeffrey T. Bagley

Assistant Federal Public Defender

Federal Public Defender's Office

300 Pearl Street, Suite 200

Buffalo, New York 14202

(716) 551-3341, (716) 551-3346 (Fax)

[jeffrey\\_bagley@fd.org](mailto:jeffrey_bagley@fd.org)

*Counsel for Defendant – Simon Gogolack*